

1997-98 SESSION
COMMITTEE HEARING
RECORDS

Committee Name:

Joint Committee on
Finance (JC-Fi)

Sample:

Record of Comm. Proceedings ... RCP

- 05hrAC-EdR_RCP_pt01a
- 05hrAC-EdR_RCP_pt01b
- 05hrAC-EdR_RCP_pt02

➤ Appointments ... Appt

➤ **

➤ Clearinghouse Rules ... CRule

➤ **

➤ Committee Hearings ... CH

➤ **

➤ Committee Reports ... CR

➤ **

➤ Executive Sessions ... ES

➤ **

➤ Hearing Records ... HR

➤ **

➤ Miscellaneous ... Misc

➤ 97hrJC-Fi_Misc_pt218

➤ Record of Comm. Proceedings ... RCP

➤ **

STATE OF WISCONSIN

SENATE CHAIR
BRIAN BURKE

Room 202, 119 Martin Luther King Blvd.
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Madison, WI 53707-7882
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ASSEMBLY CHAIR
JOHN GARD

315 North, State Capitol
P.O. Box 8952
Madison, WI 53708-8952
Phone: 266-2343

JOINT COMMITTEE ON FINANCE

February 19, 1998

Mr. Mark D. Bugher, Secretary
Department of Administration
101 East Wilson Street, 10th Floor
Madison, WI 53702

Dear Secretary Bugher:

We are writing to inform you that the Joint Committee on Finance has reviewed your request, dated January 30, 1998, and submitted pursuant to s. 16.505 of the statutes for approval by the Committee, to provide the Department of Regulation and Licensing with one-time additional expenditure authority of \$80,200 PR in 1997-98 and \$16,100 PR in 1998-99. The agency has requested the funding for a pilot project in its Division of Enforcement to assess the effectiveness of using additional paralegals and other investigative staff to address existing complaint backlogs and to determine whether spot audits of charitable organization financial reports indicate the need for additional permanent auditor positions.

The Committee approves the request, subject to the following modifications:

- First, that the increased one-time total expenditure authority of \$96,300 is reallocated provide a total of \$51,700 PR in 1997-98 and \$44,600 PR in 1998-99. This would reflect the Department's revised March 15th start date for the LTE employees to be hired for the project.
- Second, that the request is approved with the understanding that: (1) the Department of Regulation and Licensing provide a written report to the Department of Administration and the Joint Committee on Finance by October 1, 1998, on the specific results of the pilot project; and (2) that the report will, at a minimum, provide specific information on: (a) the impact of the additional staffing for each enforcement team's caseload on complaint backlog volume and the average time required to resolve complaints; (b) whether procedural modifications to the current complaint resolution process need to also be considered to reduce average complaint processing

time; and (c) the incidence and extent of problems in those charitable organization financial reports reviewed during the pilot project.

Unless you notify us by February 27, 1998, that you wish us to schedule a meeting of the Committee to consider the original request for the Department of Regulation and Licensing, we will consider the request as approved with the above modifications.

Sincerely,



BRIAN BURKE
Senate Chair



JOHN GARD
Assembly Chair

BB/JG/jc

cc: Members, Joint Committee on Finance

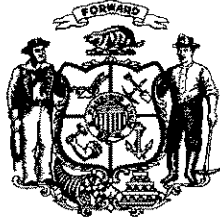
Secretary Cummings, R&L

Jay Huemmer, DOA

THE STATE OF WISCONSIN

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JOINT COMMITTEE ON FINANCE

MEMORANDUM

To: Members
Joint Committee on Finance

From: Senator Brian Burke
Representative John Gard
Co-Chairs, Joint Committee on Finance

Date: January 30, 1998

Re: s. 16.515/16.505, Stats., Request

Attached is a copy of a request from the Department of Administration, dated January 30, 1998, pursuant to s. 16.515/16.505 (2), Stats., pertaining to a request from the Department of Regulation and Licensing.

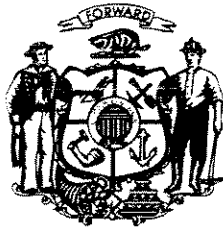
Please review this item and notify **Senator Burke's** or **Representative Gard's** office no later than, **Wednesday, February 18, 1998**, if you have any concerns about the request or would like the Committee to meet formally to consider it.

Also, please contact us if you need further information.

BB/JG/jc

STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION
101 East Wilson Street, Madison, Wisconsin

TOMMY G. THOMPSON
GOVERNOR
MARK D. BUGHER
SECRETARY



Mailing Address:
Post Office Box 7864
Madison, WI 53707-7864

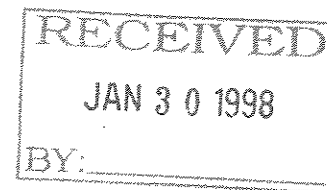
Date: January 30, 1998

To: The Honorable Brian Burke, Co-Chair
Joint Committee on Finance

The Honorable John Gard, Co-Chair
Joint Committee on Finance

From: Mark D. Bugher, Secretary
Department of Administration

Subject: S. 16.515/16.505(2) Requests



Enclosed are requests that have been approved by this department under the authority granted in s. 16.515 and s. 16.505(2). The explanation for each request is included in the attached materials. Listed below is a summary of each item:

<u>AGENCY</u>	<u>DESCRIPTION</u>	<u>1997-98</u>		<u>1998-99</u>	
		<u>AMOUNT</u>	<u>FTE</u>	<u>AMOUNT</u>	<u>FTE</u>
Regulation & Licensing 20.165(1)(g)	General Program Operations	\$80,200		*\$16,100	

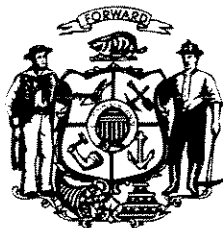
*One-time expenditure authority.

As provided in s. 16.515, the requests will be approved on February 20, 1998, unless we are notified prior to that time that the Joint Committee on Finance wishes to meet in formal session about any of the requests.

Please contact Jay Huemmer at 266-1072, or the analyst who reviewed the request in the Division of Executive Budget and Finance, if you have any additional questions.

Attachments

TOMMY G. THOMPSON
GOVERNOR
MARK D. BUGHER
SECRETARY



Mailing Address:
Post Office Box 7864
Madison, WI 53707-7864

Date: January 21, 1998

To: Mark D. Bugher, Secretary
Department of Administration

From: Scott Aker, Budget Analyst *SAker*
Division of Executive Budget and Finance

Subject: Request Under 16.515 from the Department of Regulation and Licensing for supplemental funds to hire LTEs in the Division of Enforcement.

REQUEST:

The Department of Regulation and Licensing (R&L) requests one-time increased PRO expenditure authority of \$80,200 in FY98 and \$16,100 in FY99 under s. 20.165(1)(g), *General Program Operations*, for a six-month pilot project to determine if additional resources in the Division of Enforcement can improve efficiency in resolving complaints against credential holders. If the request were approved in late January or early February, one-time funding would be granted according to the table below (5 months funding in FY98 and 1 month funding in FY99). The components of the request are:

Component	FY98	FY99
<u>5.0 LTE Legal Assistants</u>		
➤ Salaries	46,387	9,300
➤ Fringe	3,549	711
Subtotal	49,936	10,011
<u>2.0 LTE Regulation/Compliance</u>		
<u>Investigators</u>		
➤ Salaries	17,153	3,439
➤ Fringe	1,312	263
Subtotal	18,465	3,702
<u>1.0 LTE Auditor</u>		
➤ Salary	10,971	2,200
➤ Fringe	840	168
Subtotal	11,811	2,368
Total Request – Rounded	80,200	16,100

REVENUE SOURCES FOR APPROPRIATION:

The revenue sources for the appropriation under s.20.165(1)(g), *General Program Operations*, are initial credential and credential renewal fees paid to R&L by prospective credential holders and credential holders seeking renewal.

BACKGROUND:

The Division of Enforcement (DOE) provides investigative, consumer specialist and prosecutorial services to the regulatory boards and to R&L. The division's six functional work teams process and resolve complaints against credential holders. The six teams are:

1. Alcohol & Pharmaceutical (ALPHA)
2. Business Competence and Real Estate (BCRE)
3. Deceptive Practices and Real Estate Appraisers (DPREA)
4. Health and Business Expeditors (HBX)
5. Mental Health and Inappropriate Sexual Activities (MHISA)
6. Quality of Care (QOC)

The teams receive complaints against credential holders. Cases are screened and investigated to determine if legal action is necessary (see R&L appendix D). While the majority of cases are closed in the first two stages, approximately 15 percent of cases require further legal action and, possibly, a formal administrative hearing before an administrative law judge.

Cases closed during the screening and investigation stages are resolved in a timely manner. The problem R&L faces begins at the "awaiting attorney action" stage. Here cases may remain for up to two years. If R&L attorneys determine the case should result in the filing of a formal complaint, the formal administrative hearing stage may last another two years. R&L officials believe a case can and should be processed more quickly.

The department proposes this pilot project to assess the effectiveness of adding 7.0 positions to address the workload logjams in the final two phases of complaint processing. This pilot project would allow R&L to make these determinations prior to submitting its 1999-2001 budget request, in which it would request permanent positions, if necessary.

Investigating charitable organizations is one of DOE's responsibilities, and concerns have been raised regarding R&L not performing regular audits of organizations' financial records. This proposal includes 1.0 LTE auditor to spot-check charitable organizations' financial records and determine whether permanent staff to conduct regular audits is warranted.

ANALYSIS:

Case Processing Slowdown – 5.0 Legal Assistants and 2.0 Regulation/Compliance Investigators

The department regularly has seen a significant number of active enforcement cases. Until the implementation of its automated case tracking system, however, isolating specific slowdowns has been difficult. With more reliable data to support its plan, R&L intends to place the requested LTEs in critical problem areas, hoping to move cases through the process more quickly.

R&L officials consistently have believed the appropriate tactic to employ first is to find efficiencies without adding positions. Over the past 10 years, 29 new professions and more than 38,000 new credential holders have been added to the responsibilities of R&L and the regulatory boards. During the same time, DOE has received only one new position. In lieu of adding new positions, R&L has utilized technology, strategic planning and the use of LTEs to address added workload.

Department officials now believe it is necessary to test adding staff in critical problem areas in order to reduce much of the non-attorney related work that has been assumed by DOE attorneys. Thus, R&L is not requesting more attorneys to resolve the slowdown at the "awaiting attorney action" stage; rather R&L believes the problems can be resolved utilizing legal assistants and regulation/compliance investigators.

The following table illustrates current active caseload, the number of cases that have been screened and are awaiting further action and the average time spent at each stage. Nearly 20% of the active cases for the QOC team await attorney action. For the DPREA team, 23% await attorney action. In total, 246 of the 1,606 active cases (15.3%) await attorney action. As the table shows, cases take an average of 13.3 months in the investigative stage, 27.5 months awaiting attorney action, and 9.1 months in the formal hearing stage. A case screened, investigated, acted upon by DOE attorneys and taken through the formal hearing process averages nearly 50 months to complete.

Team	Investigative Stage	Awaiting Attorney Action Stage	Formal Hearing Stage	Total Active Cases
ALHPA	143	27	6	176
BCRE	232	35	3	270
DPREA	173	52	1	226
QOC	379	96	10	485
HBX	281	5	6	292
MHISA	120	31	6	157
TOTAL	1,328	246	32	1,606
Average Time in Stage	13.3 Mo.	27.5 Mo.	9.1 Mo.	49.9 Mo.

Obviously proceedings to determine the fate of a professional credential holder's ability to practice should be deliberative, allowing all important facts to be reviewed. R&L's goal to improve efficiency will not undermine the quality of the enforcement process. The additional resources requested here will provide the tools necessary to process cases more quickly while maintaining the highest standards for ensuring each credential holder due process of law.

Given that 1999-2001 budget requests are due September 1998, this request presents a responsible approach to address DOE's needs. It provides an alternative to test R&L's hypothesis that additional legal assistants and regulation/compliance investigators can address and solve the workload slowdown problems without committing the administration or the Legislature to approving 7.0 new FTE outside the budget process.

Auditing Charitable Organizations – 1.0 Auditor

As R&L's request suggests, recent media reports and other direct and indirect inquiries have raised concerns about the department's investigation of charitable organizations' financial records. The 3.0 FTE Auditors on the BCEA team audit real estate, auctioneer, cemetery trust fund and other professions' financial records and cannot absorb the workload related to charitable organizations.

Similar to the issue of processing cases, R&L's approach to this issue is appropriate and responsible. A six-month pilot project with an LTE auditor would provide R&L with information necessary to determine whether permanent staff may be necessary.

REVENUE SUMMARY

The appropriation under s. 20.165(1)(g), General Program Operations has sufficient resources to fund this request, as evidenced by the following table:

	FY98	FY99
Carryover	1,320,300	2,578,600
Projected Revenue	9,560,900	8,586,000
Total Revenue Available	10,881,200	11,164,600
Projected Expenditures	(8,222,400)	(8,292,300)
DOA Recommendation for this Request	(80,200)	(16,100)
Remaining Balance	\$2,578,600	\$2,856,200

RECOMMENDATION:

Approve the Department of Regulation and Licensing request for \$80,200 PRO in FY98 and \$16,100 PRO in FY99 as one-time expenditure authority to conduct the DOE pilot program.



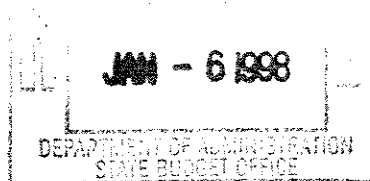
State of Wisconsin \ DEPARTMENT OF REGULATION & LICENSING

Tommy G. Thompson
Governor

Marlene A. Cummings
Secretary

1400 E. WASHINGTON AVENUE
P.O. BOX 8935
MADISON, WISCONSIN 53708
608266-2112

January 6, 1998



TO: Rick Chandler, Administrator
Division of Executive Budget and Finance
Department of Administration

FROM: Secretary Marlene A. Cummings *Marlene A. Cummings*
Department of Regulation and Licensing

SUBJECT: 16.515 Request

This is a request under ss. 16.515, Stats., for a supplement to the Department of Regulation and Licensing's (DRL) ss.20.165 (1) (g) appropriation. This supplement is necessary to implement a pilot project to assess the effectiveness of using paralegals to work on each enforcement team to handle responsibilities which are currently being handled by attorneys. This project would also require hiring two regulation/compliance investigators and an auditor to in order to balance out the work load and reach the goals of the Division of Enforcement to complete investigations and move complaints efficiently through to resolution.

The requested supplement is as follows for s. 20.165 (1) (g) General Program Operations:

Positions	LTE Costs	SS/Medicaid Costs
5 Legal Assistants	\$55,687	\$4,260
2 Regulation/ Compliance Investigators	\$20,592	\$1,575
1 Auditor	\$13,171	\$1,008
Total Position Costs	\$89,450	\$ 6,843

Background

The Department of Regulation and Licensing's Division of Enforcement's (DOE) six functional work teams provide investigative, consumer specialist and prosecutorial services to the regulatory boards and to the department. DOE has been operating with a team approach since 1995. The teams include the ALPHA Team (Alcohol & Pharmaceutical); Business Competence and Real Estate Team; Deceptive Practices and Real Estate

Regulatory Boards

Accounting; Architects. Professional Engineers, Designers and Land Surveyors; Barbering and Cosmetology; Chiropractic; Dentistry; Funeral Directors; Hearing and Speech; Medical; Nursing; Nursing Home Administrator; Optometry; Pharmacy; Psychology; Real Estate; Real Estate Appraisers; Social Workers, Marriage and Family Therapists and Professional Counselors; and Veterinary.

Committed to Equal Opportunity in Employment and Licensing

Appraisers; Health and Business Expeditors (HBX) Team; MHISA (Mental Health and Inappropriate Sexual Activities) and the Quality of Care Team. Three of the teams are specialized (MHISA, HBX, and ALPHA) and handle certain types of complaints, while the other teams are generalized and handle most of the complaints for certain professions and occupations. (See Appendix - A)

The DOE has absorbed a work load increase of 29 new professions, occupations, and business entities over the past ten years. This represents an increase in 38,064 credential holders with the potential for enforcement services. (See Appendix - B)

The department has handled this additional work load with one new FTE position since the 1989-91 biennium. The ability to handle more work with little increase in staff has been accomplished by taking the following actions:

- Implementing a Strategic Business Plan emphasizing goal setting and accountability
- Analyzing available data to identify factors contributing to undesired outcomes and putting corrective procedures in place
- Increased participation by the boards in the resolution of their complaints by promoting ownership of cases and developing new procedures
- Improved information technology, creating a new complaint tracking system
- Periodic hiring of limited term employees to handle peak periods
- Providing a field placement for some interns
- Providing staff with additional team specific training
- Providing staff with additional tools to complement their work, such as lap top computers, mini-videocams, cassette recorders, and photographic equipment

In a division of 46 people, each staff person is assigned specific and functional tasks. This work unit is unique in that each person has the potential of interacting with the broad range of professions, occupations and business entities. Each person must be familiar with the procedures contributing to due process, the administrative codes for each separate profession and with the board and advisory committee members of which there are over 256.

DOE's active caseload is consistently around 2,000 . (See Appendix - C) There are 36 members of the investigative staff directly involved with case management. The rest of the staff includes auditors and support staff who assist with the screening and monitoring of complaints and with communications to the respondents and complainants. The staff includes 14 attorneys (two are supervisors), 15 investigators (one supervisor), 4 Consumer Specialists and 2 Legal Assistants.

Rationale for the Pilot Project

At present, the initial investigations are moving efficiently through the process. A slow down persistently occurs at the point where the attorney and board advisor attention is needed to move the cases through the entire process. Often times, this is the point where

more investigation is required. In some cases, a decision by the board advisor would minimize the slow down. But, most of the cases are awaiting attorney action or legal action. The average time in the "Awaiting Attorney Action Stage" is two years. The additional assistance of paralegal staff and investigative staff should eliminate the slow down and get cases resolved in a more timely manner. (See Appendix - D)

Changes in staff (due to retirement, illness and death), changes in operations, new challenges of handling complaints against newly regulated professions and new board members have created a need for additional staff assistance.

This summer, the department hired two minority interns through the Affirmative Action Summer Intern Program, to assist with the resolution of cases. These interns were assigned to specific teams. In addition, some limited term employees were hired to help with the work load on other teams. The limited term employees were of three categories:

- W-2 Participants
- Former Affirmative Action interns
- One legal assistant

Utilizing this additional staff proved to be very effective as outlined below:

- The ALPHA (Alcohol and Pharmaceutical) Team utilized a legal assistant to review complaint files and write letters to expert witnesses; the legal assistant prepared findings of fact for a stipulation, researched an administrative rule and pertinent cases for an attorney, interviewed witnesses and a law enforcement officer and obtained needed documents for a case and drafted formal complaints in at least two cases and drafted detailed findings of fact for a stipulation in another.
- The Business Competence and Real Estate Team utilized a regulation/compliance investigator who has provided investigative assistance on 25 investigations and written follow-up letters to 70 persons whose practices were being monitored and has kept records on those monitoring activities.
- The Deceptive Practice and Real Estate Appraisers Team has utilized a regulation/compliance investigator to provide investigative assistance in 10 investigations and assisted team staff in drafting initial correspondence to respondents, complainants, and third parties and has interviewed some witnesses by telephone.
- The Health and Business Expeditors Team used a regulation/compliance investigator to provide assistance on 12 complaints and has personally worked on 32 complaints.
- The Mental Health and Inappropriate Sexual Activities Team utilized a legal assistant to review 12 files and draft stipulations and other legal documents, including Final Decisions and Orders that are necessary to resolve cases.
- The Quality of Care Team utilized a legal assistant to perform extensive legal research on a number of legal issues being raised in a series of actively litigated veterinary cases. The team also utilized the assistance of a regulation/compliance investigator who closed a number of cases, while holding a caseload of approximately 25 cases.

Another investigatory issue was raised this past fall by the Milwaukee Journal-Sentinel regarding the amount of investigatory work the department performs in its regulation of charitable organizations. The newspaper pointed to the fact that the department does not perform audits of these organizations' financial reports. The concerns regarding a particular fundraiser and charitable organization were resolved. To respond to concerns that the regulation of charitable organizations is not comprehensive enough, the department is proposing to hire an auditor to spot check the financial reports of all regulated charitable organizations.

Pilot Project

The department seeks authorization and funding to hire assistance on a limited term basis and to monitor the team's achievements with the additional assistance through the complaint tracking system.

The department proposes hiring five limited term legal assistants and two regulation/compliance investigators for six months to assist in moving the cases awaiting attorney action to resolution. If possible, the department will hire W-2 participants for training or will hire those with experience to assist the team.

The department also proposes hiring one auditor to work with the regulation of charitable organizations. DOE auditors are responsible for auditing real estate, auctioneer and cemetery trust funds, and are not able to perform any in-depth audits of the financial reports required to be filed by the charitable organizations regulated by the department. The department is proposing that the LTE auditor would spot-check charity financial reports and red-flag questionable ones to be followed-up with investigations. This would provide the department with information to assess whether auditing of these reports on a fixed schedule is needed and whether permanent staff might be necessary.

Costs associated with hiring these eight employees for a six month period include \$20,592 in salaries and \$1,575 in social security taxes for two regulation/compliance investigators, \$55,687 in salaries and \$4,260 in social security taxes for five legal assistants, and \$13,171 in salary and \$6,843 in social security taxes for the auditor. The department does not have enough expenditure authority to pay for this additional staff at the current time, and the need for resolving cases cannot be put off until the next biennial budget process begins.

Assessment of the Pilot Project

The department has developed a complaint tracking system to manage the department's complaints. This new system is intended to provide access to all aspects of a complaint as it progresses through the process. This system provides management with a tool to quickly analyze where the slow downs are in case handling and determine what steps need to be taken to move the case to resolution.

This system will provide information to track the progress of cases which are currently awaiting attorney and case advisor action. The department will be able to assess what strides have been made with the assistance of LTEs and make a decision whether the current workload at the awaiting attorney action stage of the complaint process is of a temporary nature or whether a request for permanent staff is necessary in order to handle the work load of the Division of Enforcement.

It is important that the length of time cases are in the "Awaiting Attorney Action Stage" be evaluated, and it is important for the department to determine whether the addition of legal staff and investigative staff will reduce the amount of case handling time. Professionals who are subjects of complaints and consumers who have filed a complaint deserve to have this process streamlined as much as possible, and should not have to have their cases delayed. The department needs to assess whether permanent staff should be requested in its next biennial budget request. And since the department has the financial resources to undertake this pilot project now, the process should not be delayed.

Revenue Projections

Beginning Balance of General Operations Appropriation	\$1,320,319
Revenue Expected in FY 98	\$9,560,919
Expenditures Expected (appropriation total)	\$8,222,400
Projected Ending Balance for FY 98	\$2,658,838

The department believes that there will be sufficient revenue to cover costs associated with funding this pilot project.

APPENDIX

WISCONSIN DEPARTMENT OF REGULATION AND LICENSING

DIVISION OF ENFORCEMENT

ORGANIZATION CHART

Division Administrator
John C. Temby

Division supervisors with team responsibilities listed directly below them:

Michael Berndt, Atty. 14, Supr. Stuart Engerman, RCI* Supr. 3	Michael Berndt, Atty. 14, Supr. Stuart Engerman, RCI Supr. 3	Michael Berndt, Atty. 14, Supr. Stuart Engerman, RCI Supr. 3	Michael Berndt, Atty. 14, Supr. Stuart Engerman, RCI Supr. 3
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ALPHA (ALCOHOL & PHARMACEUTICAL) TEAM	BUSINESS COMPETENCE & REAL ESTATE TEAM	DECEPTIVE PRACTICES & REAL ESTATE APPRAISERS TEAM	QUALITY OF CARE TEAM	HEALTH AND BUSINESS EXPEDITERS (HBX) TEAM	MIHSA (MENTAL HEALTH & INAPPROPRIATE SEXUAL ACTIVITIES) TEAM
2.0 FTE **Attorneys James Harris, Atty. 14 Arthur Thexon, Atty. 14	3.0 FTE Attorneys Roger Hall, Atty. 14 Charles Howden, Atty. 14 Gerald Scanlan, Atty. 14	1.0 FTE Attorneys Henry Sanders, Atty. 14	4.0 FTE Attorneys Claudia Berry Mitan, Atty. 14 Gil Lubecke, Atty. 14 James Polewski, Atty. 14 Pamela Stach, Atty. 14	1.0 FTE Attorney Steven Gloc, Atty. 14	1.0 FTE Attorney Jack Zwieg, Atty. 14
2.0 FTE RCIs Karen Fahlgren, RCI-5 Michelle Neumann, RCI-2-x Steve Rohland, RCI-5	2.0 FTE RCIs Angi Jerney, RCI-5 Betsy Wood, RCI-2	2.0 FTE RCIs John Johnson, RCI-5 Willie Garrett, RCI-5	5.0 FTE RCIs Sandra J. Cook, RCI-5 Wayne Haugen, RCI-1 Sherric Johnson, RCI-5 Celina Kobs, RCI-5 Dale Nash, RCI-5	1.0 FTE RCI Dawn Kailes, RCI-5	2.0 FTE RCIs Sue Berg, RCI-5 Dan Williams, RCI-5
	1.0 FTE Consumer Specialist Kelley Sankbell, CS***-3 (.75 FTE/KAs of 112697-On a LOA until 01/2098)			2.0 FTE Consumer Specialists Candace Bloodow, CS-3 Ralph Draeger, CS-3	1.0 FTE Admin. Asst. Jan Johnson, AA-3
	3.0 FTE Auditors Gene Kleiment, Auditor-Objective Todd Liebergen, Aud.-Objective Xiaodong Li, Auditor-Entry		1.0 FTE Legal Assistant Sharon Hennes, Legal Asst.-Entry	1.0 FTE Legal Assistant Carolyn Gallagher, Legal Asst.- Objective	
Total team permanent staffing = 5.0	Total team permanent staffing = 9.0	Total team permanent staffing = 3.0	Total team permanent staffing = 10.6	Total team permanent staffing = 5.0	Total team permanent staffing = 4.0
<div> <div>Permanent Administrative Staff:</div> <div> Jane Brischke, Adm. Assistant 4, Supervisor (.75 FTE) Carol Scheidegger, Clerical Assistant 2 Marlene Meyer, Program Assistant 2 Admin. position (Classification to be determined) (1.0 FTE) (Vacant as of 10/29/97) </div> </div> <div> <div>Other Than Permanent Administrative Staff:</div> <div> Linda Nicholls, Program Assistant 2 Denise Petersen, Program Assistant 3 Paula Pobar Lay, Program Assistant 1 </div> </div> <div> Total authorized FTE, permanent administrative staff, including division administrator, 3 supervisors and support staff=9.75 FTEs </div>					

*-RCI=Regulation/Compliance Investigator/**-FTE=Full-Time Equivalent/**-CS=Consumer Specialist/Starting Date for L.TEs/x-She also performs a mentor function, so not all of her time is spent on investigations.

NEW PROFESSIONS 1987-97

<i>Profession</i>	<i>Number of Credential Holders</i>
Acupuncturist	171
Auctioneer - Auction Company	1,183 - 155
Audiologist	239
Cemetery Authority - Preneed Sellers - Cemetery	68 - 220 -
Salesperson	198
Dietitian	1,308
Professional Fundraiser - Professional Fundraising	102
Counsel	1
Geologist	1,081
Interior Designer	397
Landscape Architect	363
Marriage and Family Therapist	538
Occupational Therapist - Occupational Therapy Assistant	2,584 -
	1,170
Professional Counselor	2,478
Respiratory Care Practitioner	2,103
Social Worker - Advanced Social Worker -	6,298 - 1,237 -
Independent Social Worker - Independent Clinical Social	790 - 4,351
Worker	
Speech Language Pathologist	1,455
Advanced Nurse Practitioner Prescriber	887
Security Guard	6,000
Timeshare Salesperson	152
Licensed Real Estate Appraiser - Certified General Real	772 -
Estate Appraiser - Certified Residential Real Estate	827 -
Appraiser	936
TOTAL Professions: 29	38,064

STATE OF WISCONSIN DEPARTMENT OF REGULATION AND LICENSING

COMPLAINTS RECEIVED

INVOLVING THE DEPARTMENT OF REGULATION AND LICENSING
AND ALL OF THE REGULATORY AUTHORITIES ATTACHED TO IT COMBINED

	1 9 7 7	1 9 7 8	1 9 7 9	1 9 8 0	1 9 8 1	1 9 8 2	1 9 8 3	1 9 8 4	1 9 8 5	1 9 8 6	1 9 8 7	1 9 8 8	1 9 8 9	1 9 9 0	1 9 9 1	1 9 9 2	1 9 9 3	1 9 9 4	1 9 9 5	1 9 9 6	1 9 9 7
# Complaints received		527	747	1189	1242	1310	1525	1558	1687	1930	1711	1792	2209	2334	2151	2269	2485	2480	2393	2185	1800

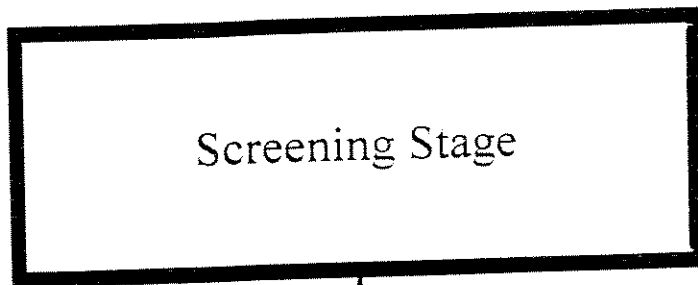
1997 FIGURES ARE FROM JANUARY 1-DECEMBER 1, 1997.

l:\stats\cplsrcd.doc
12/1/97-3:25 PM

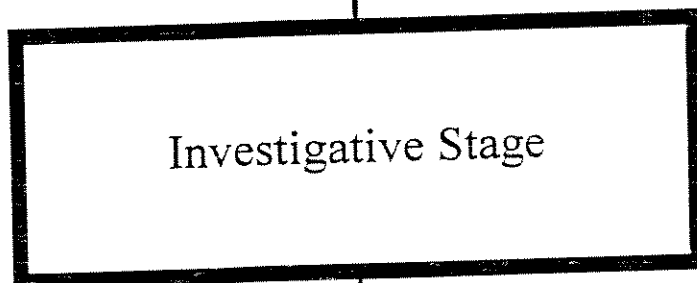
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APPENDIX - C

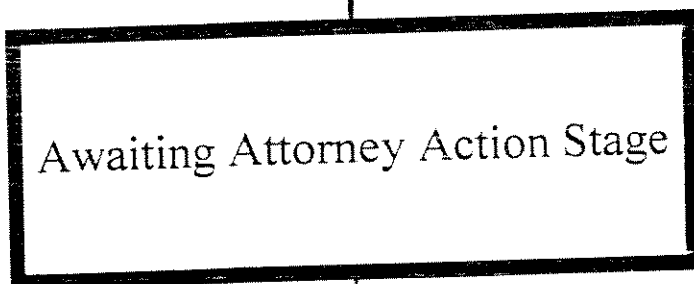
Outline of the Case Handling Process



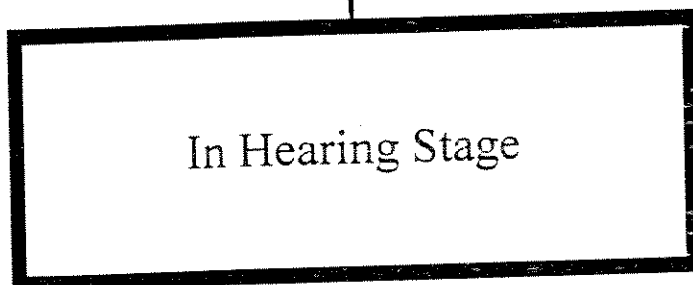
Approximately 2,000 cases are received each year. Approximately 1,000 of these cases will be closed at the Screening Stage. The average time in this stage is 3 months.



Of the 1,000 cases opened for investigation each year, 750 are closed without discipline at the conclusion of the investigation. The average time in this stage is 1 year.



Of the 250 cases recommended each year for formal discipline, 230 will resolve through stipulation or informal settlement conference. The average time in this stage is 2 years.



Approximately 20 cases each year result in the filing of a formal complaint and the holding of a formal administrative hearing. The average time in this stage is 2 years.

STATE OF WISCONSIN

SENATE CHAIR
BRIAN BURKE

Room 202, 119 Martin Luther King Blvd.
P.O. Box 7882
Madison, WI 53707-7882
Phone: 266-8535



ASSEMBLY CHAIR
JOHN GARD

315 North, State Capitol
P.O. Box 8952
Madison, WI 53708-8952
Phone: 266-2343

JOINT COMMITTEE ON FINANCE

February 17, 1998

Secretary George Meyer
Department of Natural Resources
101 South Webster Street
Madison, WI 53707-7921

Dear Secretary Meyer:

We are writing to inform you that the Joint Committee on Finance has reviewed your request, dated January 29, 1998, pursuant to 23.0915(4) pertaining to a proposed 360-acre land purchase from First Avenue Investments in the amount of \$275,400.

The Committee will schedule a meeting to further consider this request. Therefore, the request is not approved at this time.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Burke".

BRIAN BURKE
Senate Chair

A handwritten signature in black ink, appearing to read "John H. Gard".

JOHN GARD
Assembly Chair

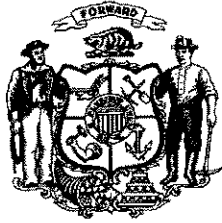
BB:JG:jc

cc: Members, Joint Committee on Finance

THE STATE OF WISCONSIN

SENATE CHAIR
BRIAN BURKE

119 MLK, Room 202
P.O. Box 7882
Madison, WI 53707-7882
Phone: (608) 266-8535



ASSEMBLY CHAIR
JOHN GARD

315-N Capitol
P.O. Box 8952
Madison, WI 53708-8952
Phone: (608) 266-2343

JOINT COMMITTEE ON FINANCE

MEMORANDUM

To: Members
Joint Committee on Finance

From: Senator Brian Burke
Representative John Gard
Co-Chairs, Joint Committee on Finance

Date: January 30, 1998

Re: 14 Day Passive Review/Land Purchase

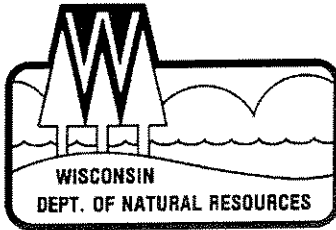
Objection from
Assembly
2/13/98

Attached is a copy of a request from Secretary George Meyer regarding a proposed 360 acre state land purchase from First Avenue Investments in the amount of \$275,400. This request is pursuant to s. 23.0915(4), Stats., which requires the Department of Natural Resources to notify the Joint Committee on Finance of all stewardship projects in excess of \$250,000.

Please review this item and notify **Senator Burke** or **Representative Gard** no later than **Tuesday, February 17, 1998**, if you have any questions about the request or would like the Committee to meet formally to consider it. If no objections are heard by that date, the request will be approved.

Attachment

BB:JG:dh



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary

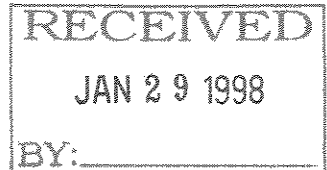
Box 7921
101 South Webster Street
Madison, Wisconsin 53707-7921
TELEPHONE 608-266-2621
FAX 608-267-3579
TDD 608-267-6897

JAN 29 1998

IN REPLY REFER TO: W-1304

Honorable Brian Burke
Member State Senate
LL1, 119 MLK Blvd.

Honorable John Gard
Member State Assembly
Room 315N
C A P I T O L



Brian
Dear Senator Burke and Representative Gard:

The Department is notifying you as co-chairs of the Joint Committee on Finance of a proposed 360-acre land purchase from First Avenue Investments for \$275,400. This notice is pursuant to s. 23.0915(4), Stats., which requires the Department to notify the Joint Committee on Finance of all Stewardship projects more than \$250,000 in cost. The Natural Resources Board approved the purchase at the January meeting. The land is required for Wildlife Management and Public Recreation for the Buena Vista Wildlife Area. There are sufficient funds appropriated to complete the purchase.

The file number is W-1304 and the land is located in Portage County. Attached please find a memo and maps describing this transaction. The Department has notified local elected officials and state representatives regarding this transaction and I have not received any objections.

I certify that this request for consideration meets all applicable state and federal statutes, rules, regulations, and guidelines. This certification is based upon a thorough and complete analysis of this request.

If you do not notify the Department within 14 working days after this notification that the Committee has scheduled a meeting to review the proposed transaction, the Department will proceed with the approval process. If the Committee has no objections, the Department will forward the proposal to the Governor for his consideration. If you need additional information, please contact David Morehouse at 266-2241. Mr. Morehouse is available to answer any questions you may have in this matter.

Thank you for this consideration.

Sincerely,

George
George E. Meyer
Secretary

cc: Legislative Fiscal Bureau

CORRESPONDENCE/MEMORANDUM

State of Wisconsin

DATE: January 5, 1998

FILE REF: W-1304

TO: Governor Thompson

FROM: George E. Meyer *George*SUBJECT: Proposed Land Acquisition, First Avenue Investments Tract,
File # W-1304, Option Expires March 5, 19981. PARCEL DESCRIPTION:Buena Vista Wildlife Area
Portage CountyGrantor:First Avenue Investments
c/o Tim Gapen
Nelson Real Estate, Inc.
1210 Pepper Ave
Wisconsin Rapids, WI 54494Acres: 360Price: \$275,400Appraised Value: \$275,400Interest: Purchase in fee.Improvements: None except for fencesLocation: The tract is located 11 miles south of Stevens Point, in
southwestern Portage County.Land Description: The subject property is level to somewhat undulating
land with low areas oriented east to west and drainage southerly to
westerly.Coverttype Breakdown:TypeAcreage

Grass/Pasture

360

Zoning: WetlandPresent Use: Pasture landsProposed Use: Public Recreation and Wildlife ManagementTenure: Less than 1 year (Family transaction in 1997; family ownership
of part of the land dates back to 1960.)Property Taxes: \$2,184.76Option Date: December 5, 1997

2. JUSTIFICATION:

The Department recommends purchase of the 360-acre First Avenue Investments parcel to consolidate ownership in the Buena Vista Wildlife Area. The purchase will consolidate ownership and allow wildlife management for the Department in that area.

The Buena Vista Wildlife Area project began in 1956 to provide habitat management and protection for prairie chicken, a threatened species in Wisconsin. Land acquisition was accomplished by the Dane County Conservation League and the Tympanuchus Society with the Department leasing the land and carrying out management. The Department also acquired parcels along with the groups. In 1989, 6,934 acres in this project owned by the Society were sold to the Department. Prairie chickens need large, open grasslands to maintain a viable population. This is one of the few places in Wisconsin that has potential for prairie chicken management.

The First Avenue Investments purchase consists of 360 acres of open grassland with scattered patches of trees. It is currently used to graze cattle. There are no improvements except for some fences. Access is via County Highway F which provides access along 2,640 feet on the west boundary and a town road which provides access along 3,960 feet on the south boundary.

The Town of Grant does not have comprehensive zoning. Wisconsin Wetlands Inventory Maps identify much of the First Avenue Investments property as wetlands. The Department owns land on the north boundary of the subject which is nested among both Department-owned property and Dane County Conservation League property. Public and privately owned lands adjoin on the remaining sides.

The grantor is reserving the right to erect a sign in tribute to a deceased relative and former owner. The sign will be constructed and erected at the grantor's expense. Sufficient restrictions were included to ensure that the reservation does not result in negative impacts to the project.

This property was listed for sale. Failure to acquire the First Avenue Investments property would result in the loss of an opportunity to provide additional habitat for the greater prairie chicken as well as other species, and an opportunity to provide for additional outdoor recreation.

The Department recommends acquisition of the property to protect habitat for the greater prairie chicken, a state-threatened species, to allow wildlife management, to consolidate state ownership, and to provide opportunities for public recreation.

3. FINANCING:

State Stewardship bond (68%) and Federal Pittman Robertson (32%) funds are anticipated:

	Funds allotted to program:	Balance after proposed transaction:
Federal Funds:	\$187,272	\$0
Stewardship Bond:	\$2,013,316	\$843,812

4. ACQUISITION STATUS OF BUENA VISTA WILDLIFE AREA:

Established: 1988
Acres Purchased to Date: 7,300.76
Acquisition Goal: 14,000 Acres
Percent Complete: 52.1%
Cost to Date: \$1,131,170

5. APPRAISAL:


Appraiser: Norman Mesun (Private Appraiser)
Valuation Date: October 23, 1997
Appraised Value: \$275,400
Highest and Best Use: Grazing lands

Allocation of Values:

- a. land: 360 acres @ \$765 per acre: \$275,400
- b. market data approach used, four comparable sales cited
- c. adjusted value range: \$688 to \$947 per acre

Appraisal Review: Rodney Bush - November 28, 1997

RECOMMENDED:



David C. Morehouse

1/7/98

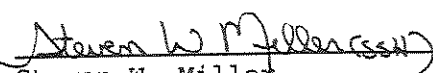
Date



Bureau of Legal Services

1/7/98

Date

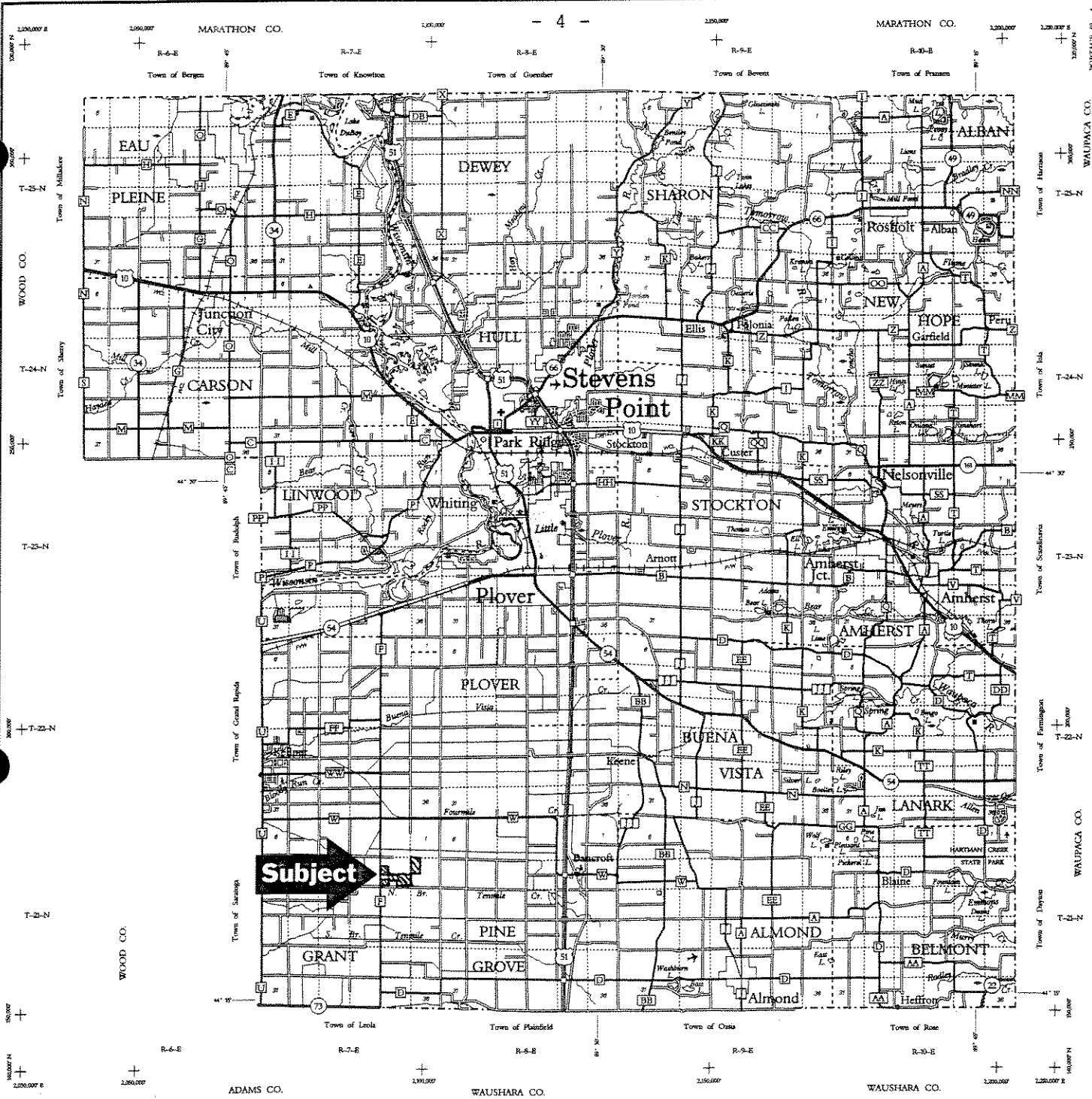






































Steven W. Miller

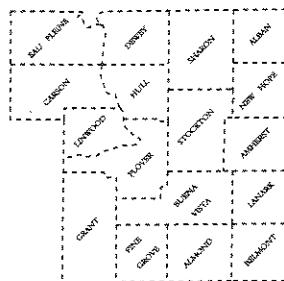
1/7/98

Date

RES:jp



Freeway		Dam	
Maintainance Divided		Hospital	
U.S. or State Hwy		Schools	
County Trunk Hwy		Airport	
Town Road		County Seat	
Firelane		Unincorporated Village	
Railroad		Fish Hatchery	
State Trail		Game Farm	
Interchange		Public House or Fish Grd.	
Highway Separation		Public Camp & Picnic Grds.	
Increase Highway No.		Range Station	
U.S. Highway No.		State Park	
State Highway No.		County Park	
County Highway Letter		Wildlife Pavilion	
State Boundary		Wayside	
County Boundary		Wildnet Pavilion	
Civil Town Boundary		University of Wisconsin	
Section Line		Summit Point	



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31	32	33	34	35	36

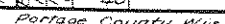


STATE	153
COUNTY	638
LOCAL ROADS	1236
OTHER ROADS	4
TOTAL FOR COUNTY	231

DEPARTMENT OF TRANSPORTATION
STATE OFFICE BUILDING
Madison, Wisconsin

SCALE 0 1 2 MILES

Corrected for
JAN. 1996
First compiled from U.S.G.S. Quadrange
1:100,000 Series

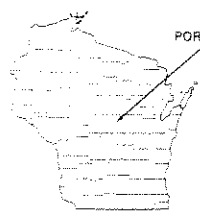
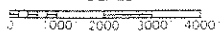


PROJECT BOUNDARY

STATE OWNED

STATE EASEMENT

SCALE



PORTAGE CO.



BOUNDARY APPROVED

10.82

10TH

ACREAGE GOAL

14,000

30/ES

PLANIMETERED AREA
WITHIN BOUNDARY

acres

Revised By

STATE OF WISCONSIN
DEPT. OF NAT. RESOURCES

BUENA VISTA
WILDLIFE AREA

DRAWN BY: UWCL

DATE 12-89

PROJECT NO.
7264

APPROVED
REAL ESTATE

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QUALITY APPRAISALS

SECTION MAP

PROJECT BUENA VISTA WILDLIFE AREA		MAPPED BY N. J. MESUN, CGA #297	
COUNTY PORTAGE	LANDOWNER FIRST AVENUE INVESTMENTS		
TOWN GRANT	ADDRESS 1210 PEPPER AVE., WISCONSIN RAPIDS, WI 54494		
SECTION 11 & 12	TOWNSHIP T21N	RANGE R7E	SCALE 1" = 3,250'
		ACRESAGE 360 M/L PARCEL #1 200 M/L PARCEL #2	

